

THE HON'BLE Mr. JUSTICE B. SUDERSHAN REDDY

AND

THE HON'BLE Mr. JUSTICE S. ANANDA REDDY

WRIT PETITION No.21519 OF 2005

DATED: 22-11-2005

Between

M/s. Mahalaxmi Motors Limited

Rep. by its Managing Director,

Mahendra C. Mehta,

A-4/2, Chandralok Complex,

Sarojini Devi Road, Secunderabad – 500 003.

.. Petitioner

AND

The Deputy Commissioner of Income Tax

Circle 2(1), Aakar Bhavan, Basheerbagh,

Hyderabad – 500 001 & another

.. Respondents

–

–

–

–

–

–

-

-

-

-

THE HON'BLE Mr. JUSTICE B. SUDERSHAN REDDY

AND

THE HON'BLE Mr. JUSTICE S. ANANDA REDDY

WRIT PETITION No.21519 OF 2005

-

-

ORDER: (Per Hon'ble Mr. Justice S. Ananda Reddy)

This writ petition is filed by the petitioner seeking certain refund of tax amount. But, however, it is represented by the learned senior counsel appearing for the respondents-Income Tax Department that the Department has issued a notice to the petitioner proposing to implement the order of the Tribunal. Therefore, it is not appropriate for this Court to go into the merits of the rival contentions. Suffice it to close the writ petition giving liberty to the petitioner to file its objections before the assessing authority with reference to notice raising all pleas that are available to it under law, and if so raised, it is for the assessing authority to consider the same and pass appropriate orders. It is stated that the petitioner requires certain time for filing its objections to the notice. Hence, the petitioner is granted three weeks time from the date of receipt of the notice for filing its objections to the said notice and on receipt of such objections that are filed by the petitioner, the assessing authority is directed to consider the same and pass appropriate orders, in accordance with law.

The Writ Petition is accordingly disposed of. No order as to costs.

B. SUDERSHAN REDDY, J

Date:22-11-2005

S. ANANDA REDDY, J

PV